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LLC, Benjamin J. Sweet and R. Bruce Carlson

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

HARBOR FREIGHT TOOLS USA,
INC.

Plaintiff,

v.

CARLSON LYNCH SWEET and
KILPELA LLP; KAMBERLAW, LLC;
BENJAMIN J. SWEET; R. BRUCE
CARLSON; and SCOTT A. KAMBER

Defendants.

Case No. 16-cv-1438-MRW

**REQUEST FOR JUDICIAL
NOTICE IN SUPPORT OF
DEFENDANTS' REPLIES IN
SUPPORT OF (1) MOTION TO
DISMISS FOR LACK OF
SUBJECT MATTER
JURISDICTION, AND (2)
SPECIAL MOTION TO STRIKE
UNDER CALIFORNIA CODE OF
CIVIL PROCEDURE § 425.16**

[Replies in Support of Motion to
Dismiss and Special Motion to Strike
are Filed Concurrently Herewith]

Hearing Date: May 9, 2016

Time: 10:00 a.m.

Courtroom: 4

Complaint Filed: March 1, 2016

Trial Date: None Set

1 Defendants Carlson Lynch Sweet and Kilpela LLP, Kamberlaw LLC,
 2 Benjamin J. Sweet, and Bruce Carlson (collectively, “Defendants”) hereby
 3 respectfully request that this Court take judicial notice of the contents of the
 4 “Memorandum Order of Court” issued in the case entitled *Sipe et al. v. American*
 5 *Casino & Entertainment Properties, LLC et al*, Lead Case Number 16cv124,
 6 currently pending in the United States District Court for the Western District of
 7 Pennsylvania. A true and correct copy of this order is hereto as Exhibit 1.
 8 Defendants make this Request for Judicial Notice in support of their Replies in
 9 support of (i) Motion to Dismiss the declaratory relief claim for lack of subject
 10 matter jurisdiction, and (ii) Special Motion to Strike the UCL claim under
 11 California Code of Civil Procedure Section 425.16.

12 This Court may properly take judicial notice of the Memorandum Order of
 13 Court in Exhibit 1 because it was issued in a pending Federal action, the
 14 authenticity of this document is not in question, and it has direct relationship to the
 15 matters at issue in this case. *United States ex rel. Robinson Rancheria Citizens*
 16 *Council v. Borneo Inc.*, 971 F.2d 244, 248 (9th Cir. 1992); FED. EVID. R. 201.

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 19 Dated: April 25, 2016

VALLE MAKOFF LLP

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 21 By: /s/Jeffrey Valle

22 JEFFREY B. VALLE

23 Attorneys for Defendants Carlson Lynch
 24 Sweet and Kilpela LLP, Kamberlaw LLC and
 25 Benjamin J. Sweet and R. Bruce Carlson
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